



GETTING COMPENSATED

AFTER GETTING INJURED IN SOUTH CAROLINA

Steinberg Law Firm
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A photograph of three people in professional attire walking outdoors. On the left is a man with curly hair in a dark suit and striped tie. In the center is a woman with blonde hair in a dark blazer and pearl necklace. On the right is a man with glasses and a beard in a grey suit and red striped tie. They are all smiling and looking towards each other. The background shows a building with a sign that says 'Moore Construction' and some greenery.

INTRO

If you have been injured in an accident, do not hesitate to reach out for legal help. Handling personal injury is emotionally and physically taxing; you should not have to take this on alone.

A personal injury can occur at any time in one's life, forcing the victim to slow down and make significant life changes. Oftentimes, whether the injury occurred in a car accident or at work, the accident was caused by another's negligence. A personal injury victim may want to hold the negligent party liable by seeking compensation for pain, suffering, medical bills and other incurred damages.

If you are suffering from personal injury and want to receive compensation for your loss, Steinberg Law Firm is here to help. Our team of skilled personal injury attorneys will fight for the justice you deserve.



ABOUT THE FIRM

Suffering from a serious injury can change a person's life. Many are not prepared to take on these challenges by themselves. However, everyone deserves a chance at a better life.

The Steinberg attorneys understand how difficult it is to overcome personal injury and are prepared to fight for their clients' justice. The firm handles a wealth of personal injury cases, including automobile accidents, workers' compensation claims, social security disability and medical malpractice.

Steinberg's attorneys work closely with their clients to reassure them with prompt responses and tireless work.

Collectively, Steinberg lawyers have over 170 years of award-winning legal experience.



They are dedicated to helping clients that have dealt with personal injuries and wrongful death in their families; nothing gets past the intellect and determination of the personal injury attorneys at Steinberg.

With offices in Charleston, Goose Creek and Summerville, Steinberg Law Firm upholds its standards in every aspect. The firm began in 1927 when Irving Steinberg brought his legal dedication to life by helping discriminated populations. As one of few Jewish Charleston attorneys, Steinberg felt the pain of societal oppression.

To date, Steinberg lawyers have been continuing Irving Steinberg's mission by supporting injured citizens of South Carolina



WORKER'S COMPENSATION

South Carolina employees, with a few exceptions, are protected by state law with financial support in case they are injured or killed at work. Otherwise known as workers' compensation, this system can compensate for an injured workers' medical bills, pain and suffering, lost past and future earnings and permanent disability.

Even if the employer was not negligent in causing the accident, South Carolina employers are still liable for their employees' safety. In South Carolina, the compensation claim must be made within two years after the accident to be considered. An employee should not wait more than ninety days to report the injury to their employer. Once the employer is notified, they have ten days to report the injury to the Commission. If you have been injured at work and your employer has given you a low settlement offer, has not paid your benefits or denies your injury claim, reached out to a skilled employment attorney with Steinberg today. We will fight for the compensation you deserve.

PERSONAL INJURY GUIDE

 If you have suffered from personal injury due to another party's negligence, reach out for legal help today. It is difficult to stay on top of deadlines and understand the complexities of personal injury law while living your life. Personal injuries can be a result of anything from a dog bite to a car accident.

In South Carolina, the injured person has a statute of limitations of three years after the accident to file a lawsuit within the state's civil court system. Claimable compensation may cover medical bills, pain and suffering, lost past and future wages and disability. If you are partially liable for the incident, then you may lose a certain percentage of the total compensation depending on your level of responsibility.

Sometimes there are caps on the total recoverable compensation. For medical malpractice cases in South Carolina, non-economic damages such as pain and suffering cannot exceed \$350,000 per defendant. If there are more than three defendants, the compensation may not exceed \$1.05 million.

To recover compensation for a personal injury claim in South Carolina, the plaintiff must prove that the defendant denied their expected level of care, they breached the cause of injury, they owed the plaintiff specific care and that the defendant could have reasonably predicted the injuries. If you have been a victim of personal injury, do not hesitate to reach out. Steinberg Law Firm's team of skilled personal injury attorneys is here to help win you the compensation you deserve.

PERSONAL INJURY CLAIMS IN AMERICA



And as a result,
one lawsuit is filed
every **two seconds**
in the USA.

Most Common Claims:



ROAD TRAFFIC ACCIDENTS

including drivers, cyclists & pedestrians



ASSAULT CLAIMS

over **2 million** claims reported in 2010



WORK RELATED INJURIES

over **3 million** non-fatal work related injuries recorded in 2009 by the Bureau of Labor



PRODUCT LIABILITY CLAIMS

around **20 thousand** claims are filed every year, which makes up about 7% of all personal injury claims

Source: USAttorneys

Some common types of personal injuries are:

Motor vehicle accidents involving cars, trucks, motorcycles, bicycles or pedestrians. One can be injured as either a driver, passenger or pedestrian in a crash due to a number of reasons, whether it is distracted driving or bad weather.

Medical malpractice in which the negligence of hospitals, doctors, nurses and other medical professionals leads to serious injuries. There are many different types of medical malpractice, including birth injuries, misdiagnosis, surgical errors and pharmacy mistakes.

Premises liability in the form of slip-and-fall accidents caused by dangerous conditions on someone else's property. Such accidents can occur anywhere from commercial properties such as restaurants and retail stores to public swimming pools and parking lots. A number of hazardous conditions can give rise to slip-and-fall accidents, such as slippery floors, missing handrails and obstacles in a walkway.

Premises liability in the form of slip-and-fall accidents caused by dangerous conditions on someone else's property. Such accidents can occur anywhere from commercial properties such as restaurants and retail stores to public swimming pools and parking lots.

Faulty or dangerous products can cause considerable harm. Examples include defective medical devices and vehicles, harmful drugs and toxic food items, among others. Those who have designed, manufactured or marketed such products can be held responsible.

Wrongful death lawsuits can arise if a person is killed due to someone else's carelessness. Fatal motor vehicle crashes, medical malpractice, nursing home neglect or the use of a defective product can lead to wrongful death. Wrongful deaths are also a type of personal injury lawsuit. Damages awarded for such cases are different from those for nonfatal personal injuries.



CAR ACCIDENTS

If you have been in a car accident in South Carolina, you do not have to face your detriment alone.

You are likely looking at numerous medical bills, negotiations with insurance companies and emotional suffering on top of your physical injuries. Insurance companies will attempt to give you the lowest compensation they can; you need a team of compassionate attorneys on your side to get you the justice you deserve.

In South Carolina there is a statute of limitations, or a time limit in which you can file your claim, of three years. However, it is important that you go to the hospital immediately after your accident to check for injuries and strengthen the validity of your case. Keep records of medical bills and any resulting detriment. There are many exceptions to the baseline state laws. An experienced car accident attorney can guide you through the process to keep you up-to-date with deadlines and knowledgeable of the various personal injury laws. Reach out to Steinberg today for a free consultation. Our skilled personal injury lawyers will fight for the compensation you deserve.



DOG BITES

Dogs are common human companions and many of their owners are responsible. Unfortunately, in many occurrences, owners can be negligent in keeping their dogs from hurting other people.

Dog attacks can be dangerous and sometimes fatal, but their owners are still responsible. As a result, the victim's medical bills pile up and pain and suffering is incurred. Injuries from dog bites may include lacerations, puncture wounds, scarring and disfigurement.

Due to their injuries and other losses, the victim may want to recover compensation. This is the time to reach out to an experienced dog bite lawyer. Steinberg Law Firm's team of skilled attorneys will guide you through the process of filing for personal injury and keep you on top of deadlines. We are here to get you the compensation you deserve.



BRAIN INJURY

Brain injuries can completely change a victim's life. If the injury was due to another party's negligent behavior, you deserve to be compensated for your loss.

Initial symptoms of a brain injury can be subtle, beginning with persistent headaches, loss of consciousness, nausea, numb extremities and behavioral changes. A brain injury can be a result of a slip and fall, a car accident or any other accident that causes extreme external impact to the head.

In the long term, a traumatic brain injury may result in an inability to complete job duties, permanent disability, physical rehabilitation and ongoing medical bills. It may even affect your family if you lose the ability to support them. You have three years to file for personal injury after the date of the accident. During this time, a skilled brain injury lawyer can guide you through filing a claim.

Do not hesitate to reach out for legal help. Steinberg Law Firm's team of experienced personal injury attorneys will fight for the compensation you deserve on your path to recovery.

A photograph of a middle-aged male doctor with grey hair and a white lab coat, sitting and talking to a patient whose back is to the camera. The patient is a younger man with brown hair and a beard, wearing a light blue button-down shirt. They are in a clinical setting with a window in the background. A solid blue horizontal bar is overlaid across the middle of the image, containing the title text.

MEDICAL MALPRACTICE

When you go to a doctor for medical help, you expect them to fulfill their duty of care. Unfortunately, this does not always happen. Medical malpractice occurs when a medical care provider injures a patient due to medical negligence. Medical malpractice cases may include prescription errors, birth injuries, delayed treatment and misdiagnosis.

Patients who believe they have been injured by a medical care provider's breach of duty should act quickly on South Carolina's statute of limitations, or time limit. A patient has three years after the negligent act or after the injury is discovered to file a claim, depending on which date is earlier. A medical care provider can be a nurse, dentist, surgeon or any other medically licensed individual. The cap on noneconomic damages is \$350,000 per defendant, or \$1.05 million if there are more than three defendants.

If you or a loved one has been a victim of medical malpractice in South Carolina, reach out to a skilled medical malpractice attorney today. Steinberg Law Firm will guide you through your claim to bring your case to the justice it deserves.



NURSING HOME ABUSE

When you place a loved one in a nursing home, there is a level of expectation you set. You want your loved one to be safe. Unfortunately, in many nursing homes across the state, this is not always the case.

There are specific signs of physical abuse to watch out for, such as sudden injuries with no explanation. These may include fractures, bedsores, marks of restraint on wrists or ankles and welts. Other signs to be aware of are inappropriate clothing for the respective weather, fall injuries and extreme altercations between your loved one and a caregiver. Emotional abuse can be apparent as well, potentially including threats, yelling, ridicule, insults and emotionally disregarding the patient.

No matter the form of nursing home abuse or neglect, negligence should not be tolerated. The nursing home is liable for the safety of your loved one and you have every right to hold them responsible if they breach your expectations. Contact the experienced nursing home abuse attorneys with Steinberg Law Firm today. We will advocate for your loved one's rights and bring justice their suffering.



PREMISES LIABILITY (SLIP AND FALL)

Slip and fall accidents are one of the most common cases of personal injury. If you have slipped and fallen at work, the mall or in another building, you may want to reach out for legal help in your case.

Property owners are responsible for maintaining their buildings as well as warning people of their wet floors, steps and stairs. Other types of premises liability incidents include elevator and escalator accidents, stair collapses, poisoning from lead paint and swimming pool accidents. Slip and fall cases occur from wet floors, poor lighting, cracks in sidewalks, under-maintained stairwells and uneven flooring.

Injuries from slip and fall accidents may include paralysis, amputation, head and spinal injuries and even death. You have a certain level of expectation when you visit another's property and it is unlawful for anyone to breach this. You should not have to handle your personal injury case alone. Contact the skilled premises liability attorneys with Steinberg Law Firm today. We will fight to get you the compensation you deserve.



TRUCK ACCIDENT

Large trucks are typically the biggest vehicles on the road. Accidents resulting from a truck collision can be heavily detrimental, sometimes causing permanent disfigurement and even death.

There are many ways truck accidents can occur, including driver error, violations for hours of service, negligence with the trucking company or vehicle maintenance and intoxicated driving. Innocent victims of truck accidents should not hold the financial responsibility surrounding medical bills, lost wages and physical therapy. If you have been injured in a truck accident, contact the skilled truck accident attorneys with Steinberg Law Firm today. We will guide you on your path to recovery by fighting for the compensation you deserve.



WRONGFUL DEATH

No one should have to deal with the wrongful death of a loved one. Overcoming the loss of a loved one can be a devastating experience to handle in any situation, especially when the wrongful death could have been avoided.

Heavy financial burdens can also result from the sudden death of a family member. If another party was negligent and caused your loved one's death, you may be entitled to certain compensation. This may cover not only the medical bills incurred before your loved one's death, but also lost wages, pain and suffering, emotional trauma and loss of companionship.

Nothing can make up for the loss of your loved one. Contact Steinberg's team of experienced wrongful death attorneys today. We will fight for the justice you deserve.



DO I HAVE A CASE?

? If you or a loved one has been injured due to someone else's carelessness or wrongdoing, you may be wondering whether you have a personal injury claim. However, simply being injured is not enough grounds to file a lawsuit.

In order to receive compensation for loss in South Carolina, the plaintiff must prove that the defendant failed their expected level of care, they were responsible for the injury itself, they owed the plaintiff expected care and that the defendant could have reasonably predicted the injuries.

Negligence is a key factor when establishing fault for an accident or harm in personal injury claims. In order to have a case, one must demonstrate that the responsible party was negligent in failing to meet the required level of reasonable care, the negligence caused the personal injury and the injury resulted in harm that would merit compensation.

The first step in proving a person or entity's negligence is establishing they had a duty of care in the circumstances that caused the injury. If the person or entity is at fault, it means they failed in their duty to keep you safe from harm.

For example, a business owner is legally obligated to keep the premises free from hazards and to remedy dangers upon becoming aware of them, while a physician is responsible for providing patients with the level of care expected from a reasonably competent health care provider. Negligence can be viewed as a breach of this duty of care. However, the duty of care is not always explicit. For example, drivers commit to the responsibility of keeping their passengers safe simply by getting behind the wheel.

Once the breach of conduct is established, the victim must show that they suffered genuine injuries as a result of the defendant's actions or failure to act.

After establishing the duty of care, the personal injury victim – referred to as the plaintiff – must demonstrate exactly how the defendant's conduct failed to meet that standard of care. Once the breach of conduct is established, the victim must show that they suffered genuine injuries as a result of the defendant's actions or failure to act. Physical injuries are generally easier to prove, but mental and emotional harm can be just as damaging and worthy of a claim.

An employer, business, hospital, organization, other public entity or even a combination of these can be sued if multiple parties are deemed to be responsible for the injury. Besides all of the above circumstances, true accidents can still occur due to uncontrollable circumstances. In such cases, the person or entity that harmed you cannot be held liable if they fulfilled their duty of care.

A qualified personal injury attorney can evaluate the details of a particular case to help decide whether there are grounds for a claim and whether pursuing a lawsuit is the best course of action.



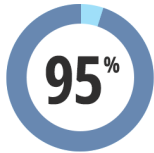
HOW MUCH IS MY CASE WORTH?

\$ Many factors affect the settlement amount of a case. Early in the case, it may be difficult to predict the amount of lost wages, total cost of medical care or the long-term impact of an injury. As every person and injury is different, the financial, physical and emotional effects of each injury will vary.

A personal injury victim can receive compensatory damages and punitive damages. Both have limits on the amount that can be awarded.

Compensatory damages are awarded for any financial losses experienced because of the injuries. These can include medical bills, the cost of future medical treatment, current and future lost wages due to being unable to work and compensation for pain and suffering for mental and physical trauma due to the accident. Other damages such as disfigurement, loss of consortium, loss of enjoyment and future caretaking expenses are applicable depending on the nature of the injuries.

WHAT PERCENTAGE OF LAWSUITS SETTLE BEFORE TRIAL?



95 PERCENT

Of all pending lawsuits end in a pre-trial settlement.



90 PERCENT

Of trials are won in favor of the person who filed the suit.

**ONE in
TWENTY**

**1 IN 20
PERSONAL INJURY
CASES GO TO COURT**

AS A MATTER OF FACT

In fact, many people use this time to build a case that provokes their opponents into settling "for a favorable sum." Planning for a pre-trial settlement is crucial for any strategy.

Source: TheLawDictionary.org

Punitive damages refer to what is often a significant amount of money that is intended to punish the wrongdoer for their negligent behavior. They apply to cases in which the negligent party's conduct has been severely reprehensible. For example, a doctor performing the wrong surgery on purpose or a car company knowingly selling vehicles with faulty brakes rather than issuing a recall.

The amount and nature of damages depend on who is at fault for the injuries. If someone else is to blame, then the victim is entitled to receive all the compensatory damages. However, the amount of damages awarded is different if you were careless and partially at fault for the accident and your resulting injuries.

South Carolina caps Med Mal at \$350,000 for noneconomic damages per defendant, \$1.05 million for three or more defendants.

Although the law varies from state to state, typically each party's relative fault is assessed under comparative negligence. Damages are then awarded based on percentage of fault. Some states follow a system known as contributory negligence in which the plaintiff is unable to recover damages if they are found to be at fault for the accident to some degree.

In addition, when a person has suffered injuries due to someone else's carelessness, they are obligated to minimize the financial impact of their injuries by seeking prompt medical attention and following through with a recommended course of treatment. Failure to mitigate damages might result in a significantly reduced award.

Upon settling a personal injury lawsuit or pursuing it successfully through trial, the plaintiff will receive compensation proportionate to the harm that has already been suffered and in consideration of the future impact a long-term injury may have. The damages awarded depend on not only the physical severity of the injury, but also on how seriously it affects the person's life. For example, the impact of a broken ankle would be different for a basketball player's life than for a computer engineer.

The damages awarded depend on not only the physical severity of the injury, but also on how seriously it affects the person's life.

A damages award can be agreed upon after a negotiated settlement among the parties, their insurance companies and their attorneys, or may be ordered by a judge or jury after a court trial. A personal injury lawyer can realistically evaluate your case to determine what settlement would be fair or unfair.



HOW LONG DO I HAVE TO FILE MY PERSONAL INJURY CLAIM?

⌚ The period immediately after an accident or injury can be a confusing and emotional one. However, it is important to remember that time is a factor when pursuing a personal injury claim.

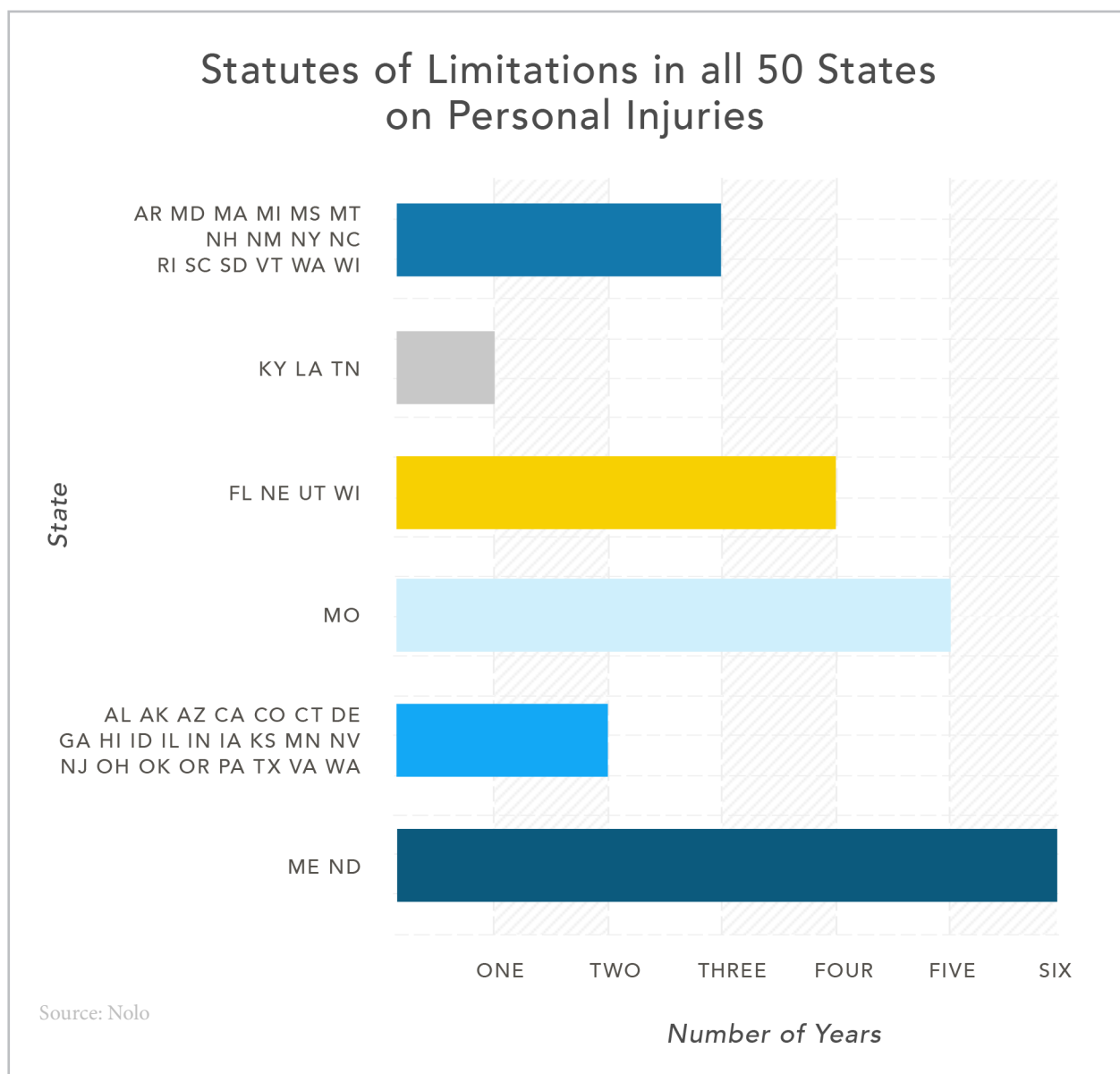
The timeframe a personal injury victim has in which to file lawsuit is known at the statute of limitations. Generally 3 years from the date the injury was noticed or from the incident, whichever came first.

The timeframe a personal injury victim has in which to file a lawsuit is known as the statute of limitations. Statutes of limitations govern the amount of time you have to sue after you become aware of the harm you have suffered. Sometimes the realization of an injury is immediate. However, in other cases years may pass before a person learns of the injury and its complete impact.

A claim is valid as long as it is filed within the given timeframe after a person learned about their injury. If the lawsuit is filed too late, it is no longer possible to sue and receive compensation for the injury.

The statutes of limitations vary depending upon the type of personal injury claim, such as a slip-and-fall accident or medical malpractice. They also vary across different U.S. states.

Resolving a personal injury claim can be time consuming. Generally, it is wise to speak with an attorney as soon as possible after the injury, as that is when information and evidence will be the freshest. An experienced lawyer can help select the ideal time in which to file a lawsuit based on the nature





WHAT HAPPENS ONCE I DECIDE TO FILE MY CLAIM?

 Once you decide to take legal action for your personal injury, your attorney will help you file the claim and guide you through the lawsuit process in order to obtain a fair damages award.

The length of your case is affected by a variety of factors such as the nature of your injury, the opposing insurance company's level of cooperation, the complexity of your case and whether it can be settled without a trial.

Most personal injury lawsuits do not go to trial. In general, straightforward cases can be decided in around six months. This amount of time varies between cases, but is not state-specific.

Most personal injury lawsuits do not go to trial. In general, straightforward cases can be decided in around six months. For example, one party may admit fault in a car accident thereby, eliminating any cause for disputes. Personal injury lawsuits that are fairly complex – such as those involving medical malpractice, defective products and wrongful death – tend to require more time to resolve, especially if they go to trial.



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